IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 1999 OF 2007

Hanif Ali Hasan Ansari .... Petitioner

versus

The State of Maharashtra and anr..... Respondent.

Mr. Vivek Gupta i/b Gupta & Gupta for the petitioner
Mr. A.S.Shitole APP for respondent no.1.

CORAM; A.P. DESHPANDE, J.
DATED; 26TH NOVEMBER, 2007

P.C.;

1. By this Writ Petition, the petitioner is seeking modification of the conditions imposed on him while releasing the petitioner/accused on bail. The petitioner is accused of commission of offences punishable under sections 307, 323, 141, 142, 143, 145, 146, 147, 148, 149 of IPC. Taking into consideration the heart ailment suffered by the petitioner/accused, he was released on bail and while granting bail, the petitioner has been prevented from visiting the place of the incident by name Chatrapathi Shivaji Fish Market till the disposal of the case. The petitioner is aggrieved by this condition. The other conditions by which the petitioner is aggrieved is a direction to attend the Police station every Friday between 20 to 21 hours till the disposal of the case. Lastly the petitioner has been denied

permission to leave the jurisdiction of Greater Mumbai till the disposal of the case. The State has filed an affidavit-in-reply supporting the conditions imposed by the court below while releasing the petitioner on bail. It is undisputed that the investigation is over and the learned APP submits that the charge-sheet will be filed within a period of two weeks from today. The learned APP further submits that the investigating officer does not need the presence of the petitioner in the police station every week, hereafter as directed by the trial court. In view of this statement though I do not propose to alter the condition which prevents the petitioner from visiting Chatrapathi Shivaji Fish Market, at this stage, I permit the petitioner to move appropriate application after expiry of a period of six months. So far as the condition restraining the petitioner from leaving the jurisdiction of Greater Mumbai, in my view ends of justice would be met by directing the petitioner to intimate the concerned police station as and when he wants to move out of Mumbai and shall also intimate the concerned police station his schedule of returning back to Mumbai. The condition of petitioner visiting the police station every week stands dispensed with. Writ Petition is accordingly disposed of.

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